

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

John Raymond Melendez

Case No.

16-1394-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of John Raymond Melendez in the county of Lehigh in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Title 21, United States Code
Section 841(a)(1), (b)(1)(B)

Offense Description

On November 10, 2016, in Allentown, Lehigh County, in the Eastern District of Pennsylvania, defendant John Raymond Melendez knowingly and intentionally possessed with intent to distribute fifty (50) grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B).

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 11/11/2016

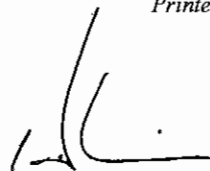
City and state: Allentown, PA



Complainant's signature

Jeffrey C. Taylor, Task Force Officer, DEA

Printed name and title



Judge's signature

The Hon. Henry S. Perkin, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Jeffrey C. Taylor, having been duly sworn, depose and state the following:

1. I am a Task Force Officer with the Drug Enforcement Administration, and I am currently assigned to the Philadelphia Division, Allentown Resident Office. I have been a Task Force Officer for 16 years and a Police Officer for over 24 years.

2. As a result of my training and experience, I am familiar with the federal narcotics laws with respect to which I have enforcement authority.

3. The information contained in this affidavit is based on my personal participation and information I received from DEA Special Agent Joshua Romig, who is the lead investigator in this case, along with information from other law enforcement officers involved in this investigation.

Background of Defendant

4. John Raymond Melendez, has a date of birth of May 24, 1984, Social Security number ***-**-1286, and a home address of 20** E. Highland Street, Allentown, PA, 18109. Melendez has been identified in this investigation as a methamphetamine, heroin, cocaine, and cocaine base ("crack" cocaine) distributor. SA Romig determined Melendez is assigned FBI number 972555TB9, and Pennsylvania State Identification number of 27646506.

Probable Cause to Arrest

5. On November 10, 2016, Special Agents (SAs) from the Drug Enforcement Administration (DEA) received information that John Raymond Melendez would be conducting a drug transaction in the 500 block of E. Mosser Street, Allentown, Pennsylvania.

6. At approximately 5:25 p.m., SAs established surveillance of Melendez at 20** E.

Highland Street, Allentown, PA 18109. Melendez's vehicle was parked out front (a 2014 white Acura TLX bearing PA registration KDZ****). At approximately 5:45 p.m., SAs followed Melendez and another male, identified herein as "person #1" and whose name is being withheld from this affidavit, as they drove the Acura to 61* E. Mosser Street, Allentown, PA. SAs observed Melendez walk into the main door of the apartment building at 61* E. Mosser Street Allentown, PA (which is a multi-unit apartment building). Person #1 remained in the Acura.

7. Melendez returned outside a few minutes later and got into the passenger seat of the Acura. SAs then followed the Acura as it drove to the 500 block of E. Mosser Street (the location of the scheduled drug transaction). At that time, approximately 6:05 p.m., DEA Task Force Officer (TFO) John Casella activated his police lights and siren and pulled in front of the Acura to stop the vehicle. SAs Romig, Labenburg, and TFO Casella exited TFO Casella's car wearing clearly identifiable police vests and instructed Person #1 to stop the vehicle. Person #1 instead put the vehicle in reverse and backed (crashed) into Lehigh County Detective Todd Frey's unmarked police car, which was stopped behind the Acura. SAs removed Person #1 (the driver) and Melendez (the passenger) from the Acura and placed them in handcuffs. SA Romig seized a small black leather pouch from the back of the driver's seat of the Acura which contained approximately seven ounces (or approximately 198 grams) of crystal methamphetamine and one ounce of cocaine. SA Romig transported the Acura (seized for forfeiture) and the drug exhibit to the DEA Allentown Resident Office where he field tested both the suspected methamphetamine and the suspected cocaine and observed positive results. The drug exhibits were entered into evidence at DEA-Allentown and will be sent to the DEA Mid-Atlantic Laboratory for analysis.

8. Melendez and Person #1 were then transported by uniformed Allentown Police Patrol Officers to the DEA Allentown Resident Office for processing. SA Romig obtained verbal and written consent from Melendez to search both 61* E. Mosser Street, Apartment 10, Allentown, PA (initially he stated it was apartment 4, however the key from the Acura key ring fit apartment 10 and Melendez eventually admitted it was apartment 10) and 201* E. Highland Street, Allentown, PA. SAs and TFOs from the DEA ARO and Troopers from the Pennsylvania State Police Vice/Narcotics Unit conducted a search of the apartment and seized the following controlled substances: approximately 200 grams of cocaine, 75 grams of heroin and 50 grams of cocaine base ("crack" cocaine). TFO Jeffrey Taylor transported the drug exhibits to the DEA Allentown Resident Office. SA Romig conducted a separate field test on a sample taken from each suspected controlled substance, and observed on all three samples a positive result for the presence of the suspected controlled substance. The drug exhibits were entered into evidence at DEA-Allentown and will be sent to the DEA Mid-Atlantic Laboratory for analysis.


9. SA Labenburg advised Melendez of his Miranda Rights at 8:10 p.m., on that same date, as witnessed by SA Romig. Melendez acknowledged understanding his rights and agreed to provide a statement to agents without an attorney present. The statement was taken in writing by SA Romig and signed by Melendez. The following is a summary of his statement and should not be considered verbatim. He stated all of the drugs seized in both the Acura and 61* E. Mosser Street, Apartment 10, Allentown, PA were his (Melendez's) and his only. He said Person #1 had no knowledge there were drugs in the Acura and Person #1 had no idea they were driving to conduct a drug sale.

10. There were no controlled substances or contraband found at 201* E. Highland

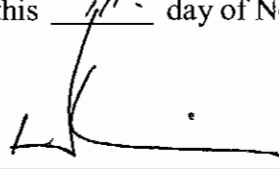
Street, Allentown, PA.

Conclusion

11. Based on the information above, I have concluded there is probable cause to believe that John Raymond Melendez knowingly and intentionally possessed with the intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in the City of Allentown, Lehigh County, the Eastern District of Pennsylvania, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B).


Jeffrey C. Taylor
Task Force Officer
Drug Enforcement Administration

Subscribed to and sworn before
me this 11th day of November, 2016



HONORABLE HENRY S. PERKIN
United States Magistrate Judge